IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE THOTTATHIL B.RADHAKRISHNAN

THURSDAY, THE 14TH JUNE 2007 / 24TH JYAISHTA 1929

OP.No. 11480 of 2001(N)

PETITIONER:

A.V.RAVEENDRANATH KAMMATH,
S/O.LATE A.N.VASUDEVA KAMATH,
AGED 65 YEARS, H.NO.VI/1828,
SRI GANESH SADAN,
PALACE ROAD, COCHIN – 682 002.

BY ADV. SRI.B.N.SHIVSANKAR

RESPONDENT:

GENERAL MANAGER,
CANARA BANK,
CANARA BANK BLGS,
JAI CHAMAVAJENDRA ROAD,
BANGALORE – 2.

BY ADV. SRI.M.C.SEN
SRI.M.P.SREEKRISHNAN
SMT.SHAHNA KARTHIKEYAN

THIS ORIGINAL PETITION HAVING BEEN FINALLY HEARD ON 14/06/2007, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

ORDER ON C.M.P.NO.18369/2001 IN O.P.NO.11480/2001 N

DISMISSED

14/06/2007 **SD/- THOTTATHIL B.RADHAKRISHNAN,JUDGE**

APPENDIX

PETITIONER'S EXHIBITS:

EXT.P1: **COPY OF THE REPRESENTATION DTD. 24/06/1996 SENT BY THE PETITIONER TO RESPONDENT BANK.**

EXT.P2: **COPY OF THE AGREEMENT/CIRCULAR RELATING TO SALARY REVISION FOR OFFICER EMPLOYEES DTD. 14TH JULY, 1995.**

RESPONDENT'S EXHIBIT:

EXT.RA: **COPY OF THE GAZETTE NOTIFICATION CARRYING THE AMENDED REVISION OF REGULATION OF CANARA BANK (OFFICERS) SERVICE REGULATIONS, 1979 DTD. 13/09/96.**

/TRUE COPY/

KSS

THOTTATHIL B. RADHAKRISHNAN, J.

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O.P.No.11480 of 2001-N

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Dated this the 14th day of June, 2007.

JUDGMENT

This writ petition is filed on 30-3-2001 by one who retired as an officer in the service of a bank on 31-5-1994. Going by the materials on record, he received gratuity of Rs.1,00,000/- on retirement and also enjoyed the benefit of the revision of pay in terms of the settlement. The petitioner does not, in any manner, controvert the pleadings in the counter affidavit which sustain the impugned order. The claim for gratuity by contending that what has been received by him is insufficient, cannot be heard after the petitioner had received the gratuity amounts way back in 1994 following his retirement and without taking recourse to any statutory remedies which were available to him, if at all, he was aggrieved. Under such circumstances, I find no merit in this writ petition and it is accordingly dismissed.

THOTTATHIL B. RADHAKRISHNAN,
JUDGE.

Sha/-

THOTTATHIL B. RADHAKRISHNAN, J.

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O.P.No. 11480 of 2001-N

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JUDGMENT

Dated: 14th June, 2007.